IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2453 OF 2004

1. Shri Eknath Babu Gare & ors.] .. Petitioners

Vs

1. Shri Eknath T. Patil & Ors.] .. Respondents

None for the petitioners.

Mr. V.Z. Kankaria for the respondents.

CORAM: ANOOP V. MOHTA, J.

DATED: 25TH NOVEMBER, 2004.

P.C.:

1. Called out twice. None appeared for the petitioners.

2. Petitioners have invoked the provisions of Article 227 of the Constitution of India and have challenged the impugned order dated 8th August, 2001, whereby, the President, Maharashtra Revenue Tribunal, Mumbai, had allowed the Appeal and remanded the matter back to the Sub-Divisional Officer for fresh enquiry by giving notice to all the concerned parties and to take decision accordingly. After going through the reasoning, as given in paragraphs 6 and 7, I see there is no reason to interfere with the impugned order.

3. The present Petition is pending from March, 2004. The impugned order is dated 8th August, 2001. There are no steps tAken by the petitioners to circulate or to obtain appropriate orders. On this ground also, I am of the view that there is no case to interfere with the order.

4. The Petition is, therefore, dismissed.

ANOOP V. MOHTA, J.